



CORPORATION SERVICE COMPANY®

## Notice of Service of Process

Transmittal Number: 13161120  
Date Processed: 11/12/2014

**Primary Contact:** Bruce Buttaro  
Liberty Mutual Insurance Company  
175 Berkeley Street  
Boston, MA 02117

---

<b>Entity:</b>	Liberty Mutual Insurance Company Entity ID Number 1765547
<b>Entity Served:</b>	Liberty Mutual Insurance Company
<b>Title of Action:</b>	Brandon L. Farrow vs. Sharron Smith
<b>Document(s) Type:</b>	Summons/Complaint
<b>Nature of Action:</b>	Contract
<b>Court/Agency:</b>	Hamilton County Circuit Court, Tennessee
<b>Case/Reference No:</b>	14C1291
<b>Jurisdiction Served:</b>	Tennessee
<b>Date Served on CSC:</b>	11/12/2014
<b>Answer or Appearance Due:</b>	30 Days
<b>Originally Served On:</b>	TN Department of Commerce and Insurance on 11/06/2014
<b>How Served:</b>	Certified Mail
<b>Sender Information:</b>	Danny R Ellis 423-697-4529

---

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**  
*CSC is SAS70 Type II certified for its Litigation Management System.*  
2711 Centerville Road Wilmington, DE 19808 (888) 690-2882 | [sop@cscinfo.com](mailto:sop@cscinfo.com)

## Exhibit A

**STATE OF TENNESSEE  
Department of Commerce and Insurance  
500 James Robertson Parkway  
Nashville, TN 37243-1131  
PH - 615.532.5260, FX - 615.532.2788  
Jerald.E.Gilbert@tn.gov**

November 6, 2014

Liberty Mutual Insurance Company  
2908 Poston Avenue, % C S C  
Nashville, TN 37203  
NAIC # 23043

Certified Mail  
Return Receipt Requested  
7012 3460 0002 8945 7468  
Cashier # 18201

Re: Brandon L. Farrow V. Liberty Mutual Insurance Company

Docket # 14C1291

To Whom It May Concern:

Pursuant to Tennessee Code Annotated § 56-2-504 or § 56-2-506, the Department of Commerce and Insurance was served November 6, 2014, on your behalf in connection with the above-styled proceeding. Documentation relating to the subject is herein enclosed.

Jerald E. Gilbert  
Designated Agent  
Service of Process

Enclosures

cc: Circuit Court Clerk  
Hamilton County  
625 Georgia Avenue, Rm 500  
Chattanooga, Tn 37402

Serve

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:52  
LARRY L. HENRY, CLERK  
BY HBN DC

SUMMONS

TO: Liberty Mutual Group, Inc d/b/a  
Liberty Mutual Insurance  
175 Berkeley Street  
Boston, MA 02116

SERVE TO: Commissioner of Insurance  
500 James Robertson Parkway  
Davy Crockett Tower  
Nashville, TN 37243

You are hereby summoned to answer and make defense to a bill of complaint which has been filed in the Circuit Court of Hamilton County, Tennessee in the above styled case. Your defense to this complaint must be filed in the office of the Circuit Court Clerk of Hamilton County, Tennessee on or before thirty (30) days after service of this summons upon you. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

ATTESTED TO and issued this 31<sup>st</sup> day of October, 2014.

By: A. Novak  
Deputy Clerk

ATTORNEYS FOR PLAINTIFF Massey & Associates, PC

1024 ML King Blvd., Chattanooga, TN 37403  
Address

PLAINTIFF'S ADDRESS c/o Massey & Associates, PC

Received this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

/S/ \_\_\_\_\_

Deputy Sheriff

**OFFICER'S RETURN**

I certify that I served this summons together with the complaint as follows:

\_\_\_\_\_ On \_\_\_\_\_, 20\_\_\_\_, I delivered a copy of the summons and complaint to the  
defendant, \_\_\_\_\_

\_\_\_\_\_ personally at \_\_\_\_\_ residence at \_\_\_\_\_

\_\_\_\_\_ personally at \_\_\_\_\_ place of employment \_\_\_\_\_

\_\_\_\_\_ Failed to serve this summons within 30 days after its issuance because:

\_\_\_\_\_  
Deputy Sheriff

**NOTICE TO THE DEFENDANT(S):**

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

## CIVIL CASE COVER SHEET

Check One: ☒ CIRCUIT COURT☐ CHANCERY COURT

DOCKET NO. \_\_\_\_\_

Date 10/31/2014Attorney of Record Danny B. Ellis

## I. Origin (Check One)

☒ Original Proceeding☐ Case Reopened☐ Counter-claim☐ Cross-claim☐ 3rd Party Claim☐ Intervening Claim☐ Other (Specify) \_\_\_\_\_

## II. TYPE OF SUIT (CHECK ONE)

## DOMESTIC RELATIONS

☐ 361 Paternity☐ 362 Legitimation☐ 363 Adoption☐ 371 Divorce☐ 381 Order Of Protection☐ 391 Reciprocal Support - Incoming ☐ 392 Reciprocal Support - Outgoing☐ 401 Other Domestic Relations (Specify) \_\_\_\_\_

## GENERAL CIVIL

☐ 461 Contract/Debt☐ 462 Specific Performance☐ 512 General Sessions Appeal☐ 513 Appeal From Admin. Hearing☒ 471 Damages/Torts☐ 481 Real Estate Matter☐ 572 Guardianship☐ 573 Trust☐ 491 Workers Compensation☐ 511 Juvenile Court appeal☐ 501 Probate☐ 571 Conservatorship☐ 581 Miscellaneous General Civil (Specify) \_\_\_\_\_

## Other

☐ 541 Judicial Hospitalization

## PETITION FOR: (REOPENED CASES)

☐ 382 Contempt☐ 383 Custody/Visitation/Child Support☐ 387 Wage Assignment Hearing

## Other

☐ 551 OtherIII. Total amount sued for \$ 500,000.00

Specify type of damages or relief sought \_\_\_\_\_

Statutory authority for suit, if any \_\_\_\_\_

IV. Check one, ☐ Affidavit to Proceed in Forma Pauperis☒ Cost Bond Surety Massey + AssociatesV. JURY DEMAND (Check Yes Only If Demanded In Complaint) ☒ Yes ☐ No

VI. RELATED CASES (If Any) Docket # \_\_\_\_\_ Judge \_\_\_\_\_

Date Filed \_\_\_\_\_ Status \_\_\_\_\_

## VII. PLAINTIFF / PETITIONER INFORMATION (List Additional Parties On Supplemental Form)

1. Name Farrow Brandon L.  
LAST FIRST MIDDLE☐ AKA ☐ DBA ☐ BNFS.S. # XXX-XX-XXXX DOB XXXX Drivers License # \_\_\_\_\_

## COMPANY NAME

6228 Hidden Way Danny B. Ellis  
ADDRESS ATTORNEYHarrison TN 37341 Massey + Associates, PC 1024 ML King Blvd  
ADDRESS ADDRESSCITY STATE ZIP CODE Chattanooga TN 37403  
CITY STATE ZIP CODE CITY STATE ZIP CODE423-697-4529  
PHONE020747  
BOARD OF PROFESSIONAL RESPONSIBILITY #

ADDRESS

CITY STATE ZIP

CITY STATE ZIP

## VIII. DEFENDANT/ RESPONDENT INFORMATION (List Additional Parties On Supplemental Form)

1. Name Smith Sharon  
LAST FIRST MIDDLE☐ AKA ☐ DBA ☐ BNFS.S. # - - - DOB XXXX Drivers License # \_\_\_\_\_

## COMPANY NAME

2516 Overbrook Drive Attorney  
ADDRESS ADDRESSRossville GA 30741 Chattanooga TN 37403  
ADDRESS ADDRESSCITY STATE ZIP CITY STATE ZIP30741 37403  
ZIP ZIP

EMPLOYER PHONE

ADDRESS

CITY STATE ZIP

CITY STATE ZIP

CITY STATE ZIP

TYPE OF SERVICE REQUIRED (Check One)

☐ Out of County Sheriff☐ Local Sheriff☐ Comm. Of Ins.

## IX. ASSOCIATED PARTY (Uninsured Motorist Carrier) INFORMATION

1. Name Liberty Mutual175 Berkeley Street  
ADDRESSBoston MA 02114  
CITY STATE ZIPType Of Service (specify) Commissioner of InsuranceAre additional plaintiffs or defendants listed on a separate sheet? ☒ YES ☐ NO

**SUPPLEMENTAL  
CIVIL CASE COVER SHEET  
ADDITIONAL PARTIES INFORMATION**

Check One

- ☐ Plaintiff / Petitioner  
☒ Defendant / Respondent  
☐ Associated Party

NAME

LAST FIRST MIDDLE  
Liberty Mutual Group, Inc

- ☐ aka  
☒ dba  
☐ bnf

Liberty Mutual Insurance

COMPANY NAME

175 Berkeley Street

ADDRESS

CITY STATE ZIP  
Boston MA 02116

EMPLOYER

ADDRESS

CITY STATE ZIP

ATTORNEY

ADDRESS

CITY STATE ZIP

PHONE

**TYPE OF SERVICE REQUIRED (check one)**

- ☐ Personal (local sheriff)  
☒ Out of county sheriff  
County Name Davidson  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check One

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

DOCKET NO. \_\_\_\_\_

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY STATE ZIP

EMPLOYER

ADDRESS

CITY STATE ZIP

ATTORNEY

ADDRESS

CITY STATE ZIP

PHONE

- ☐ Personal (local sheriff)  
☐ Out of county sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check one:

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY STATE ZIP

EMPLOYER

ADDRESS

CITY STATE ZIP

ATTORNEY

ADDRESS

CITY STATE ZIP

PHONE

**TYPE OF SERVICE REQUIRED (check one)**

- ☐ Personal (local sheriff)  
☐ Out of county sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check one:

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

DOCKET NO. \_\_\_\_\_

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY STATE ZIP

EMPLOYER

ADDRESS

CITY STATE ZIP

ATTORNEY

ADDRESS

CITY STATE ZIP

PHONE

- ☐ Personal (local sheriff)  
☐ Out of county Sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

IN THE CIRCUIT COURT FOR HAMILTON COUNTY, TENNESSEE

BRANDON L. FARROW, )  
Plaintiff, )

vs. )

SHARRON SMITH and LIBERTY MUTUAL )  
GROUP, INC. d/b/a/ LIBERTY MUTUAL )  
INSURANCE. )

No.: 14C1291  
JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:53  
LARRY L. HENRY, CLERK  
BY HBH DC

COMPLAINT

Brandon L. Farrow hereby sues the defendants Sharron Smith and Liberty Mutual Group, Inc. (hereinafter Liberty) for harms and losses arising out of an automobile collision. For his cause of action, Mr. Farrow states the following.

I.

Mr. Farrow is a resident of Harrison, Tennessee. Upon information and belief, defendant Sharron Smith is a resident of Rossville, Georgia. Defendant Liberty is a foreign corporation authorized to do business in the State of Tennessee with Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203 as its registered agent of service.

II.

On or about, August 28, 2013, defendant Smith was driving a 1998 Nissan Sentra insured by Defendant Liberty. Defendant Smith was traveling South on Rossville Blvd. Construction crews were working on Rossville Boulevard and had placed appropriate warning markers to alert drivers. Defendant Smith was driving too fast for the road condicitions and was unable to stop when traffic slowed in front of her. Defendant Smith rear-ended a vehicle. The force of the collision propelled that vehicle forward into the rear Mr. Farrow's car. The defendant Smith's actions are 100 percent the cause of this collision.

III.

Traffic laws have been established by the State of Tennessee to protect people on the road. A driver must not needlessly endanger drivers on the road by failing to follow Tennessee Safety Traffic Laws.

IV.

All drivers have a duty to exercise due care to protect people on the road. All drivers have a duty to operate their automobile as ordinary and prudent people would to protect other people on the road. Defendant violated these rules.

V.

Drivers must obey the traffic safety law when approaching traffic in front of them to protect other people on the road. A driver must always keep her automobile under control to protect other people on the road. A driver must pay attention and be aware of other automobiles on the road. A driver must stop her automobile before crashing into an automobile stopped in traffic to protect other people on the road. Defendant's violation of these rules constitutes negligence.

VI.

In causing the crash, defendant is guilty of common law negligence. Among the specific acts of negligence on the part of defendant were:

- (1) Failure to keep a proper lookout;
- (2) Failure to operate the vehicle as an ordinary and prudent person would have under existing traffic conditions;



- (3) Failure to keep the vehicle under proper control;
- (4) Failure to keep a safe distance between her and the automobile in front of her;
- (5) Failure to stop her vehicle before striking the rear of the automobile in front of her;
- (6) Failure to make any reasonable effort to avoid the collision.

Defendant's acts of common law negligence are 100 percent the cause of Mr. Farrow's harms and losses. Defendant is 100 percent at fault for the crash and 100 percent at fault for Mr. Farrow's harms and losses.

#### VII.

Defendant is guilty of violating the following statutes which constitute negligence per se:

- (a) T.C.A. § 55-8-103 Required obedience to traffic laws;
- (b) T.C.A. § 55-8-124 Following too closely;
- (c) T.C.A. § 55-8-136 Drivers to exercise due care;
- (d) T.C.A. § 55-10-205 Reckless Driving;

Defendant's violation of these statutes constitutes negligence per se and caused the crash and this violation caused the crash and Mr. Farrow's harms and losses. Defendant is 100 percent at fault the crash and 100 percent at fault for Mr. Farrow's harms and losses.

#### VIII.

As a direct and proximate result of the carelessness, recklessness and negligence of Defendant Smith, Mr. Farrow has suffered severe bodily injuries including a low back pain with a herniated disc. Generally, Mr. Farrow suffered the following harms and losses:

- (1) Severe and permanent injuries to his body, past and future;
- (2) Pain, mental anguish and suffering, past and future;
- (3) Medical and hospital expenses, past and future;
- (4) Loss of the enjoyment of life, past and future;
- (5) Lost wages, past and future

These harms and losses were suffered as a direct and proximate result of the negligence of defendant. Mr. Farrow seeks fair, just and reasonable compensation from defendant in the amount of five hundred thousand dollars (\$500,000.00). Defendant Smith's negligence is 100 percent the direct and proximate cause of Mr. Farrow's harms and losses.

#### IX.

Mr. Farrow spoke with employees of Defendant Liberty regarding the crash and Mr. Farrow's harms and losses. On several occasions, the employees of Defendant Liberty assured that compensation was in the mail to compensate Mr. Farrow for his lost income and bodily injuries. When the money did not show, Mr. Farrow would call back to Defendant Liberty. Defendant Liberty repeatedly informed Mr. Farrow that that claim was being adjusted and money was being sent to him directly.

#### X.

Mr. Farrow was requested to submit lost wage information, treatment information and medical costs to Defendant Liberty. These requests continued after August 23, 2014. In addition, Defendant

Liberty engaged in a pattern and practice to lead Mr. Farrow that the claim was being handled and would be resolved past the statute of limitations date. After August 23, 2014, once the statute of limitations had run, Defendant Liberty informed Mr. Farrow that the claim would not be paid. Defendant Liberty engaged in fraud and bad faith practices to lure Mr. Farrow into not pursuing a claim by filing a lawsuit until after the statute of limitations ran.

XI.

Defendant Smith purchased insurance from Defendant Liberty to provide coverage for Defendant Smith's negligent acts. Defendant Liberty became the agent of Defendant Smith so any acts committed by Defendant Liberty or its employees are attributable to Defendant Smith. Mr. Farrow should be able to pursue his lawsuit against Defendant Smith through the doctrine of estoppel, fraud and bad faith.

XII.

As a direct and proximate result of the defendant Liberty's acts, Mr. Farrow suffered the following harms and losses that were available to him in an action against Defendant Smith:

- (1) Severe and permanent injuries to his body, past and future;
- (2) Pain, mental anguish and suffering, past and future;
- (3) Medical and hospital expenses, past and future;
- (4) Loss of the enjoyment of life, past and future;
- (5) Lost wages, past and future

Mr. Farrow seeks fair, just and reasonable compensation from defendant Liberty in the amount of five hundred thousand dollars (\$500,000.00). Defendant's negligence and any penalties associated with bad faith as a result of Defendant Liberty's actions.

WHEREFORE, Mr. Farrow demands a judgment against defendants in the total amount of five hundred thousand dollars (\$500,000.00), including pre-judgment and post judgment interest and DEMANDS A JURY to try the issues when joined.

**MASSEY & ASSOCIATES, PC**

By: 

Gary Massey, Jr. BPR No.: 19490

Danny R. Ellis BPR No.: 20747

1024 E ML King Blvd

Chattanooga, TN 37403

Phone: (423) 697-4529

Fax: (423) 634-8886

Attorney for Plaintiff

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:33  
LARRY L. HENRY, CLERK  
BY WBN DC

COST BOND

I hereby acknowledge and bind myself for the prosecution of this action and payment of non-discretionary costs in this Court, which may at any time be adjudged against the plaintiffs in the event plaintiffs shall not pay them.

Witness my hand this 31<sup>st</sup> day of October, 2014

  
Surety, Danny R. Ellis 20747

1024 E M L King Blvd  
Address

Chattanooga, TN 37403  
City, State, Zip Code

(423)697-4529 FAX(423)634-8886  
Telephone

*(Surety on a bond for costs shall not be released from the obligation as surety until there is a provision for a substitute surety)*

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:53  
LARRY L. HENRY, CLERK  
DC


NOTICE OF SERVING WRITTEN DISCOVERY

Brandon L. Farrow, by and through counsel, gives notice that he has served his First Set of Interrogatories, Request for Production of Documents and Expert Interrogatories to the defendant Sharron Smith with the Summons and Complaint.

Respectfully submitted,

MASSEY & ASSOCIATES, PC

By

  
\_\_\_\_\_  
Danny R. Ellis BPR No.: 20747  
1024 E ML King Blvd  
Chattanooga, TN 37403  
Phone: (423) 697-4529  
Fax: (423) 634-8886  
Attorney for Plaintiff

## CERTIFICATE OF SERVICE

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith and Liberty Mutual Group, Inc d/b/a Liberty  
Mutual Insurance  
Via Summons & Complaint

This 31 day of Oct, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

---

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

---

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO  
DEFENDANT SHARRON SMITH

---

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Interrogatories to be answered within the time allowed by law.

These Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.



---

## INTERROGATORIES

1. State your full name, (and any other names by which you have been known), all residence addresses you have had in the past ten (10) years, your social security number and your date of birth.

ANSWER:

2. List the number and state of issuance of any and all driver's licenses ever held by or issued to you, including but not limited to your current driver's license, and for each such license, describe any and all restrictions, limitations, suspensions and/or revocations ever issued or applied thereto.

ANSWER:

3. Identify by name, last known residence address, telephone number and employer, all individuals to whom you have ever been married, including but not limited to your current spouse, and state the date and location of each marriage, the reason for the termination of any marriages, the date, style, court and docket number of all suits for divorce, and the identity by name, date of birth and current residence address any and all of your parents, brothers, sisters, nieces and nephews that reside in Hamilton County, Tennessee.

ANSWER:

4. Have you ever received examination or treatment of any sort, whether medical, psychological, or group therapy support, (for example, Alcoholics Anonymous, Al-Anon) for alcoholism or any alcohol-related illnesses or behavioral problems suffered by you? If so, identify each and every course of examination and treatment by the recipient of said examination or treatment, the name, address and telephone number of the health care provider, date of examination and/or treatment, type of examination and/or treatment, reason for seeking treatment, and reason for discharge from or cessation of treatment.

ANSWER:

5. Have you ever been charged with or convicted of any crime? If so, identify the date, place, arresting agency (for example, Chattanooga Police Department), identify the charges made against you, the court which handled each charge and the docket number of each case and describe the outcome or sentence for each charge.

ANSWER:

6. Have you ever been a party to any litigation other than those described in response to Interrogatory No's 3 or 6 above, whether criminal or civil, as plaintiff or defendant? If so, for each such litigation, state the style of the case, the jurisdiction and court in which it was filed, the date it was filed, describe the nature of the lawsuit, your involvement in it, and its outcome.

ANSWER:

---

7. During the twenty-four (24) hour period immediately preceding the motor vehicle collision in which you were involved, had you consumed any alcohol and/or drugs or medications including insulin (whether prescription, over-the-counter, legal or illegal)? If so, for each and every such drink, drug and medication, state the name of the substance consumed, the dosage or amount consumed, the place and times at or within which consumed, the reasons for the consumption, the physical effects of the consumption, and the identity by name, address and telephone number of all people who witnessed said consumption and all prescribing physicians.

ANSWER:

8. Describe in as much detail as possible any and all field sobriety tests and/or Blood Alcohol Tests (whether breathalyzer, blood or urine test) administered to you during the eight (8) hours immediately following this wreck, including but not limited to, who administered the test, how, where and when it was administered, the results of each such test, and if you dispute the results of any such test, your reasons therefor.

ANSWER:

9. Describe any and all mechanical problems you were experiencing with your vehicle at the time of and immediately before this collision.

ANSWER:

---

10. Describe all prior and subsequent motor vehicle collisions in which you have been involved as a driver, including date and place of occurrence, name of all other drivers involved, the identity of any investigating agency or police department, and a brief description of how the wreck happened.

ANSWER:

11. Describe any and all physical or mental conditions you had which were affecting your driving in any way at the time of this wreck and the time of onset of any such condition.

ANSWER:

12. Describe the damage done to the automobile you were driving at the time of this wreck, and state whether said damage was repaired, if so, by whom and at what cost, and if not, why not.

ANSWER:

---

13. Were you the owner of the vehicle you were driving at the time of this wreck? If so, please state the date you purchased your vehicle as well as the identity of the person or entity from which you purchased this vehicle. Provided you were not the sole owner of the automobile you were driving at the time of the wreck, please identify the name, address and telephone number of the owner or co-owner of this vehicle other than yourself and your relationship to the owner(s) and whether you had permission to drive the vehicle at the time of the wreck.

ANSWER:

14. Do you claim that the plaintiff is at fault, wholly or partially, for this wreck? If so, state the name, address, and general description of the alleged negligent third parties and the basis for your allegation(s) as well as identify any evidence which you have which supports your allegation(s) of third party negligence.

ANSWER:

15. Do you claim that any third parties are at fault, wholly or partially, for this wreck? If so, state the name, address, and general description of the alleged negligent third parties and the basis for your allegation(s) as well as identify any evidence which you have which supports your allegation(s) of third party negligence.

ANSWER:

---

16. List the name, address, business address and telephone number of all persons with knowledge that might lead to discoverable information regarding the incident described in the complaint.

ANSWER:

17. Please state the names, addresses, telephone numbers, place of employment, job titles or capacities, and present whereabouts of all agents, servants, employees, representatives, private investigators or others who made any investigation of the events complained of in this case on your behalf.

ANSWER:

18. Please identify all evidence which you allege supports a defense that plaintiff or a third party was guilty of any comparative fault. If none exists, please so state.

ANSWER:

19. Identify by name, address, telephone number and place of employment, each and

every witness who was present at the scene of the wreck at or near the time of the collision.


ANSWER:

20. Identify the type of cell phone, carrier, number, and type of phone plan on the date of wreck.

ANSWER:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By   
Danny R. Ellis BPR No.: 20747  
1024 E ML King Blvd  
Chattanooga, TN 37403  
Phone: (423) 697-4529  
Fax: (423) 634-8886  
Attorney for Plaintiff

VERIFICATION PAGE

\_\_\_\_\_  
Sharron Smith

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON   )

Sharron Smith, personally appeared before me this \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly sworn according to the law, made oath that the answers to the foregoing interrogatories are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

This 31<sup>st</sup> day of October, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

---

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C 1291

Division:

JURY DEMANDED

---

PLAINTIFF'S REQUESTS FOR PRODUCTION TO  
DEFENDANT SHARRON SMITH

---

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Requests for Production to be answered within the time allowed by law.

These Requests for Production shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.

---

**REQUEST FOR PRODUCTION**

1. Any and all documents which you identified in the preceding interrogatories, and please indicate for each document to which interrogatory it relates.

RESPONSE:

2. Copies of any reports, records or other documents from any hospitals, doctors, or other healthcare providers concerning any examinations or treatment of the plaintiff prior to or after the date of the collision which is the subject of this lawsuit.

RESPONSE:

3. Copy of any damage appraisal and/or repair invoice made of any of the vehicles involved in the collision which is the subject of this lawsuit.

RESPONSE:

4. Copies of any and all statements previously made or adopted by plaintiff concerning the subject matter of this lawsuit.

RESPONSE:

5. Any and all photographs, drawings, maps or sketches, of the scene of the collision or of the vehicles involved in the collision which is the subject of this lawsuit.

RESPONSE:

6. A copy of any surveillance movies or photographs which have been made of plaintiff.

RESPONSE:

7. Please produce a complete copy of all insurance policies (including declarations pages, policy forms, insurance applications and all applicable endorsements) issued by each and every insurance company (including primary, secondary, excess or umbrella insurers) which may be called upon to pay any judgment or settlement in this case.

RESPONSE:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By 

Danny R. Ellis BPR No.: 20747

1024 E ML King Blvd

Chattanooga, TN 37403

Phone: (423) 697-4529

Fax: (423) 634-8886

Attorney for Plaintiff

VERIFICATION PAGE

Sharron Smith

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON   )

Sharron Smith personally appeared before me this \_\_\_\_\_, day of  
\_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly  
sworn according to the law, made oath that the answers to the foregoing interrogatories are true  
and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

This 31<sup>st</sup> day of October, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

PLAINTIFF'S FIRST SET OF EXPERT INTERROGATORIES  
TO DEFENDANT SHARRON SMITH

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Expert Interrogatories to be answered within the time allowed by law.

These Expert Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.

**EXPERT INTERROGATORIES**

1. Please identify each person whom you expect to call as an expert witness at the trial in this matter.

RESPONSE:

2. Please state the subject matter on which the expert is expected to testify.

RESPONSE:

3. Please state the substance of the facts and opinions to which the expert is expected to testify.

RESPONSE:

4. Please state a summary of the grounds for each opinion the expert is expected to testify.

RESPONSE:

5. For each expert please list all information provided to or accessed by each individual expert.

RESPONSE:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By 

Danny R. Ellis BPR No.: 20747  
1024 E ML King Blvd  
Chattanooga, TN 37403  
Phone: (423) 697-4529  
Fax: (423) 634-8886  
Attorney for Plaintiff



VERIFICATION PAGE

STATE OF TENNESSEE     )  
COUNTY OF HAMILTON )

Sharron Smith

Sharron Smith personally appeared before me this \_\_\_\_\_, day of  
\_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly  
sworn according to the law, made oath that the answers to the foregoing interrogatories are true  
and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

## CERTIFICATE OF SERVICE

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

This 31<sup>st</sup> day of October, 2014.

MASSEY & ASSOCIATES, PC

By: 

Danny R. Ellis

Return

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:34  
LARRY L. HENRY, CLERK  
HUB

SUMMONS

TO: Liberty Mutual Group, Inc d/b/a  
Liberty Mutual Insurance  
175 Berkeley Street  
Boston, MA 02116

SERVE TO: Commissioner of Insurance  
500 James Robertson Parkway  
Davy Crockett Tower  
Nashville, TN 37243

You are hereby summoned to answer and make defense to a bill of complaint which has been filed in the Circuit Court of Hamilton County, Tennessee in the above styled case. Your defense to this complaint must be filed in the office of the Circuit Court Clerk of Hamilton County, Tennessee on or before thirty (30) days after service of this summons upon you. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint.

ATTESTED TO and issued this 31<sup>st</sup> day of October, 2014.

By: H. Novkov  
Deputy Clerk

ATTORNEYS FOR PLAINTIFF Massey & Associates, PC

1024 ML King Blvd., Chattanooga, TN 37403  
Address

PLAINTIFF'S ADDRESS c/o Massey & Associates, PC

Received this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

/S/ \_\_\_\_\_

Deputy Sheriff

**OFFICER'S RETURN**

I certify that I served this summons together with the complaint as follows:

\_\_\_\_\_ On \_\_\_\_\_, 20\_\_\_\_, I delivered a copy of the summons and complaint to the  
defendant, \_\_\_\_\_

\_\_\_\_\_ personally at \_\_\_\_\_ residence at \_\_\_\_\_

\_\_\_\_\_ personally at \_\_\_\_\_ place of employment \_\_\_\_\_

\_\_\_\_\_ Failed to serve this summons within 30 days after its issuance because:

\_\_\_\_\_  
Deputy Sheriff

**NOTICE TO THE DEFENDANT(S):**

Tennessee law provides a four thousand dollar (\$4,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

## CIVIL CASE COVER SHEET

Check One: ☒ CIRCUIT COURT☐ CHANCERY COURT

DOCKET NO.

Date 10/31/2014Attorney of Record Danny R. Ellis

## I. Origin (Check One)

☒ Original Proceeding☐ 3rd Party Claim☐ Case Reopened☐ Intervening Claim☐ Counter-claim☐ Other (Specify) \_\_\_\_\_☐ Cross-claim

## II. TYPE OF SUIT (CHECK ONE)

## DOMESTIC RELATIONS

☐ 361 Paternity☐ 362 Legitimation☐ 363 Adoption☐ 371 Divorce☐ 381 Order Of Protection☐ 391 Reciprocal Support - Incoming ☐ 392 Reciprocal Support - Outgoing☐ 401 Other Domestic Relations (Specify) \_\_\_\_\_

## GENERAL CIVIL

☐ 461 Contract/Debt☐ 462 Specific Performance☐ 512 General Sessions Appeal☐ 513 Appeal From Admin. Hearing☒ 471 Damages/Torts☐ 481 Real Estate Matter☐ 572 Guardianship☐ 573 Trust☐ 491 Workers Compensation☐ 511 Juvenile Court appeal☐ 501 Probate☐ 571 Conservatorship☐ 581 Miscellaneous General Civil (Specify) \_\_\_\_\_Other ☐ 541 Judicial Hospitalization

## PETITION FOR: (REOPENED CASES)

☐ 382 Contempt☐ 383 Custody/Visitation/Child Support☐ 387 Wage Assignment HearingOther ☐ 551 OtherIII. Total amount sued for \$ 500,000.00

Specify type of damages or relief sought \_\_\_\_\_

Statutory authority for suit, if any \_\_\_\_\_

IV. Check one, ☐ Affidavit to Proceed in Forma Pauperis☒ Cost Bond Surety Massey + AssociatesV. JURY DEMAND (Check Yes Only If Demanded In Complaint) ☒ Yes ☐ No

VI. RELATED CASES (If Any) Docket # \_\_\_\_\_ Judge \_\_\_\_\_

Date Filed \_\_\_\_\_ Status \_\_\_\_\_

## VII. PLAINTIFF / PETITIONER INFORMATION (List Additional Parties On Supplemental Form)

1. Name Farrow Brandon L.  
LAST FIRST MIDDLE☐ AKA ☐ DBA ☐ BNFS.S. # XXX-XX-XXXX DOB XXXX Drivers License # \_\_\_\_\_

## COMPANY NAME

10228 Hidden Way Danny R. Ellis  
ADDRESS ATTORNEYHarrison TN 37341 Massey + Associates, PC 1024 ML King Blvd  
CITY STATE ZIP CODE ADDRESS

## EMPLOYER

## ADDRESS

CITY STATE ZIP

## VIII. DEFENDANT/ RESPONDENT INFORMATION (List Additional Parties On Supplemental Form)

1. Name Smith Sharon   
LAST FIRST MIDDLE☐ AKA ☐ DBA ☐ BNFS.S. # --- DOB XXXX Drivers License # \_\_\_\_\_

## COMPANY NAME

2516 Overbrook Drive   
ADDRESS ATTORNEYRossville GA 30741     
CITY STATE ZIP ADDRESS CITY STATE ZIP

## EMPLOYER

## ADDRESS

CITY STATE ZIP

## TYPE OF SERVICE REQUIRED (Check One)

☐ Out of County Sheriff☐ Local Sheriff☐ Comm. Of Ins.

## IX. ASSOCIATED PARTY (Uninsured Motorist Carrier) INFORMATION

1. Name Liberty Mutual  175 Berkeley Street MA 02116  
ADDRESS CITY STATE ZIP

CITY STATE ZIP

Type Of Service (specify) Commissioner of InsuranceAre additional plaintiffs or defendants listed on a separate sheet? ☒ YES ☐ NO

**SUPPLEMENTAL  
CIVIL CASE COVER SHEET  
ADDITIONAL PARTIES INFORMATION**

Check One

- ☐ Plaintiff / Petitioner  
☒ Defendant / Respondent  
☐ Associated Party

NAME

LAST Liberty FIRST Mutual MIDDLE Group, Inc.

- ☐ aka  
☒ dba  
☐ bnf

Liberty Mutual Insurance

COMPANY NAME

175 Berkeley Street

ADDRESS

Boston

MA

02116

CITY

STATE

ZIP

EMPLOYER

ADDRESS

CITY

STATE

ZIP

ATTORNEY

ADDRESS

CITY

STATE

ZIP

PHONE

**TYPE OF SERVICE REQUIRED (check one)**

- ☐ Personal (local sheriff)  
☒ Out of county sheriff  
County Name Davidson  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check One

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

DOCKET NO. \_\_\_\_\_

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY

STATE

ZIP

EMPLOYER

ADDRESS

CITY

STATE

ZIP

ATTORNEY

ADDRESS

CITY

STATE

ZIP

PHONE

- ☐ Personal (local sheriff)  
☐ Out of county sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check one:

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY

STATE

ZIP

EMPLOYER

ADDRESS

CITY

STATE

ZIP

ATTORNEY

ADDRESS

CITY

STATE

ZIP

PHONE

**TYPE OF SERVICE REQUIRED (check one)**

- ☐ Personal (local sheriff)  
☐ Out of county sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

Check one:

- ☐ Plaintiff / Petitioner  
☐ Defendant / Respondent  
☐ Associated Party

DOCKET NO. \_\_\_\_\_

NAME

LAST FIRST MIDDLE

- ☐ aka  
☐ dba  
☐ bnf

COMPANY NAME

ADDRESS

CITY

STATE

ZIP

EMPLOYER

ADDRESS

CITY

STATE

ZIP

ATTORNEY

ADDRESS

CITY

STATE

ZIP

PHONE

- ☐ Personal (local sheriff)  
☐ Out of county Sheriff  
County Name \_\_\_\_\_  
☐ Sec. of State  
☐ Comm. Of Ins.  
☐ Publication (specify)  
☐ Other (specify)  
☐ Special Instructions

IN THE CIRCUIT COURT FOR HAMILTON COUNTY, TENNESSEE

BRANDON L. FARROW,

Plaintiff,

vs.

SHARRON SMITH and LIBERTY MUTUAL  
GROUP, INC. d/b/a/ LIBERTY MUTUAL  
INSURANCE.

No.: 14C1291  
JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:55  
LARRY L. HENRY, CLERK  
HBH  
DC

COMPLAINT

Brandon L. Farrow hereby sues the defendants Sharron Smith and Liberty Mutual Group, Inc. (hereinafter Liberty) for harms and losses arising out of an automobile collision. For his cause of action, Mr. Farrow states the following.

I.

Mr. Farrow is a resident of Harrison, Tennessee. Upon information and belief, defendant Sharron Smith is a resident of Rossville, Georgia. Defendant Liberty is a foreign corporation authorized to do business in the State of Tennessee with Corporation Service Company, 2908 Poston Avenue, Nashville, TN 37203 as its registered agent of service.

II.

On or about, August 28, 2013, defendant Smith was driving a 1998 Nissan Sentra insured by Defendant Liberty. Defendant Smith was traveling South on Rossville Blvd. Construction crews were working on Rossville Boulevard and had placed appropriate warning markers to alert drivers. Defendant Smith was driving too fast for the road condicitions and was unable to stop when traffic slowed in front of her. Defendant Smith rear-ended a vehicle. The force of the collision propelled that vehicle forward into the rear Mr. Farrow's car. The defendant Smith's actions are 100 percent the cause of this collision.

III.

Traffic laws have been established by the State of Tennessee to protect people on the road. A driver must not needlessly endanger drivers on the road by failing to follow Tennessee Safety Traffic Laws.

IV.

All drivers have a duty to exercise due care to protect people on the road. All drivers have a duty to operate their automobile as ordinary and prudent people would to protect other people on the road. Defendant violated these rules.

V.

Drivers must obey the traffic safety law when approaching traffic in front of them to protect other people on the road. A driver must always keep her automobile under control to protect other people on the road. A driver must pay attention and be aware of other automobiles on the road. A driver must stop her automobile before crashing into an automobile stopped in traffic to protect other people on the road. Defendant's violation of these rules constitutes negligence.

VI.

In causing the crash, defendant is guilty of common law negligence. Among the specific acts of negligence on the part of defendant were:

- (1) Failure to keep a proper lookout;
- (2) Failure to operate the vehicle as an ordinary and prudent person would have under existing traffic conditions;



- 
- (3) Failure to keep the vehicle under proper control;
  - (4) Failure to keep a safe distance between her and the automobile in front of her;
  - (5) Failure to stop her vehicle before striking the rear of the automobile in front of her;
  - (6) Failure to make any reasonable effort to avoid the collision.

Defendant's acts of common law negligence are 100 percent the cause of Mr. Farrow's harms and losses. Defendant is 100 percent at fault for the crash and 100 percent at fault for Mr. Farrow's harms and losses.

#### VII.

Defendant is guilty of violating the following statutes which constitute negligence per se:

- (a) T.C.A. § 55-8-103 Required obedience to traffic laws;
- (b) T.C.A. § 55-8-124 Following too closely;
- (c) T.C.A. § 55-8-136 Drivers to exercise due care;
- (d) T.C.A. § 55-10-205 Reckless Driving;

Defendant's violation of these statutes constitutes negligence per se and caused the crash and this violation caused the crash and Mr. Farrow's harms and losses. Defendant is 100 percent at fault the crash and 100 percent at fault for Mr. Farrow's harms and losses.

#### VIII.

As a direct and proximate result of the carelessness, recklessness and negligence of Defendant Smith, Mr. Farrow has suffered severe bodily injuries including a low back pain with a herniated disc. Generally, Mr. Farrow suffered the following harms and losses:

- (1) Severe and permanent injuries to his body, past and future;
- (2) Pain, mental anguish and suffering, past and future;
- (3) Medical and hospital expenses, past and future;
- (4) Loss of the enjoyment of life, past and future;
- (5) Lost wages, past and future

These harms and losses were suffered as a direct and proximate result of the negligence of defendant. Mr. Farrow seeks fair, just and reasonable compensation from defendant in the amount of five hundred thousand dollars (\$500,000.00). Defendant Smith's negligence is 100 percent the direct and proximate cause of Mr. Farrow's harms and losses.

#### IX.

Mr. Farrow spoke with employees of Defendant Liberty regarding the crash and Mr. Farrow's harms and losses. On several occasions, the employees of Defendant Liberty assured that compensation was in the mail to compensate Mr. Farrow for his lost income and bodily injuries. When the money did not show, Mr. Farrow would call back to Defendant Liberty. Defendant Liberty repeatedly informed Mr. Farrow that that claim was being adjusted and money was being sent to him directly.

#### X.

Mr. Farrow was requested to submit lost wage information, treatment information and medical costs to Defendant Liberty. These requests continued after August 23, 2014. In addition, Defendant

Liberty engaged in a pattern and practice to lead Mr. Farrow that the claim was being handled and would be resolved past the statute of limitations date. After August 23, 2014, once the statute of limitations had run, Defendant Liberty informed Mr. Farrow that the claim would not be paid.

Defendant Liberty engaged in fraud and bad faith practices to lure Mr. Farrow into not pursuing a claim by filing a lawsuit until after the statute of limitations ran.

XI.

Defendant Smith purchased insurance from Defendant Liberty to provide coverage for Defendant Smith's negligent acts. Defendant Liberty became the agent of Defendant Smith so any acts committed by Defendant Liberty or its employees are attributable to Defendant Smith. Mr. Farrow should be able to pursue his lawsuit against Defendant Smith through the doctrine of estoppel, fraud and bad faith.

XII.

As a direct and proximate result of the defendant Liberty's acts, Mr. Farrow suffered the following harms and losses that were available to him in an action against Defendant Smith:

- (1) Severe and permanent injuries to his body, past and future;
- (2) Pain, mental anguish and suffering, past and future;
- (3) Medical and hospital expenses, past and future;
- (4) Loss of the enjoyment of life, past and future;
- (5) Lost wages, past and future

Mr. Farrow seeks fair, just and reasonable compensation from defendant Liberty in the amount of five hundred thousand dollars (\$500,000.00). Defendant's negligence and any penalties associated with bad faith as a result of Defendant Liberty's actions.

WHEREFORE, Mr. Farrow demands a judgment against defendants in the total amount of five hundred thousand dollars (\$500,000.00), including pre-judgment and post judgment interest and DEMANDS A JURY to try the issues when joined.

**MASSEY & ASSOCIATES, PC**

By: 

Gary Massey, Jr. BPR No.: 19490

Danny R. Ellis BPR No.: 20747

1024 E ML King Blvd

Chattanooga, TN 37403

Phone: (423) 697-4529

Fax: (423) 634-8886

Attorney for Plaintiff

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:55  
LARRY L. HENRY, CLERK  
HON DO

COST BOND

I hereby acknowledge and bind myself for the prosecution of this action and payment of non-discretionary costs in this Court, which may at any time be adjudged against the plaintiffs in the event plaintiffs shall not pay them.

Witness my hand this 31<sup>st</sup> day of October, 2014

  
Surety, Danny R. Ellis 20747

1024 E M L King Blvd  
Address

Chattanooga, TN 37403  
City, State, Zip Code

(423)697-4529 FAX(423)634-8886  
Telephone

*(Surety on a bond for costs shall not be released from the obligation as surety until there is a provision for a substitute surety)*

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

FILED IN OFFICE  
2014 OCT 31 PM 2:55  
LARRY L. HENRY, CLERK  
HON DC

NOTICE OF SERVING WRITTEN DISCOVERY

Brandon L. Farrow, by and through counsel, gives notice that he has served his First Set of Interrogatories, Request for Production of Documents and Expert Interrogatories to the defendant Sharron Smith with the Summons and Complaint.

Respectfully submitted,

MASSEY & ASSOCIATES, PC

By 

Danny R. Ellis BPR No.: 20747  
1024 E ML King Blvd  
Chattanooga, TN 37403  
Phone: (423) 697-4529  
Fax: (423) 634-8886  
Attorney for Plaintiff

**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith and Liberty Mutual Group, Inc d/b/a Liberty  
Mutual Insurance  
Via Summons & Complaint

This 31 day of Oct, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

---

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

---

PLAINTIFF'S FIRST SET OF INTERROGATORIES TO  
DEFENDANT SHARRON SMITH

---

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Interrogatories to be answered within the time allowed by law.

These Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.



---

## INTERROGATORIES

1. State your full name, (and any other names by which you have been known), all residence addresses you have had in the past ten (10) years, your social security number and your date of birth.

ANSWER:

2. List the number and state of issuance of any and all driver's licenses ever held by or issued to you, including but not limited to your current driver's license, and for each such license, describe any and all restrictions, limitations, suspensions and/or revocations ever issued or applied thereto.

ANSWER:

3. Identify by name, last known residence address, telephone number and employer, all individuals to whom you have ever been married, including but not limited to your current spouse, and state the date and location of each marriage, the reason for the termination of any marriages, the date, style, court and docket number of all suits for divorce, and the identity by name, date of birth and current residence address any and all of your parents, brothers, sisters, nieces and nephews that reside in Hamilton County, Tennessee.

ANSWER:

---

4. Have you ever received examination or treatment of any sort, whether medical, psychological, or group therapy support, (for example, Alcoholics Anonymous, Al-Anon) for alcoholism or any alcohol-related illnesses or behavioral problems suffered by you? If so, identify each and every course of examination and treatment by the recipient of said examination or treatment, the name, address and telephone number of the health care provider, date of examination and/or treatment, type of examination and/or treatment, reason for seeking treatment, and reason for discharge from or cessation of treatment.

ANSWER:

5. Have you ever been charged with or convicted of any crime? If so, identify the date, place, arresting agency (for example, Chattanooga Police Department), identify the charges made against you, the court which handled each charge and the docket number of each case and describe the outcome or sentence for each charge.

ANSWER:

6. Have you ever been a party to any litigation other than those described in response to Interrogatory No's 3 or 6 above, whether criminal or civil, as plaintiff or defendant? If so, for each such litigation, state the style of the case, the jurisdiction and court in which it was filed, the date it was filed, describe the nature of the lawsuit, your involvement in it, and its outcome.

ANSWER:

7. During the twenty-four (24) hour period immediately preceding the motor vehicle collision in which you were involved, had you consumed any alcohol and/or drugs or medications including insulin (whether prescription, over-the-counter, legal or illegal)? If so, for each and every such drink, drug and medication, state the name of the substance consumed, the dosage or amount consumed, the place and times at or within which consumed, the reasons for the consumption, the physical effects of the consumption, and the identity by name, address and telephone number of all people who witnessed said consumption and all prescribing physicians.

ANSWER:

8. Describe in as much detail as possible any and all field sobriety tests and/or Blood Alcohol Tests (whether breathalyzer, blood or urine test) administered to you during the eight (8) hours immediately following this wreck, including but not limited to, who administered the test, how, where and when it was administered, the results of each such test, and if you dispute the results of any such test, your reasons therefor.

ANSWER:

9. Describe any and all mechanical problems you were experiencing with your vehicle at the time of and immediately before this collision.

ANSWER:

---

10. Describe all prior and subsequent motor vehicle collisions in which you have been involved as a driver, including date and place of occurrence, name of all other drivers involved, the identity of any investigating agency or police department, and a brief description of how the wreck happened.

ANSWER:

11. Describe any and all physical or mental conditions you had which were affecting your driving in any way at the time of this wreck and the time of onset of any such condition.

ANSWER:

12. Describe the damage done to the automobile you were driving at the time of this wreck, and state whether said damage was repaired, if so, by whom and at what cost, and if not, why not.

ANSWER:

---

13. Were you the owner of the vehicle you were driving at the time of this wreck? If so, please state the date you purchased your vehicle as well as the identity of the person or entity from which you purchased this vehicle. Provided you were not the sole owner of the automobile you were driving at the time of the wreck, please identify the name, address and telephone number of the owner or co-owner of this vehicle other than yourself and your relationship to the owner(s) and whether you had permission to drive the vehicle at the time of the wreck.

ANSWER:

14. Do you claim that the plaintiff is at fault, wholly or partially, for this wreck? If so, state the name, address, and general description of the alleged negligent third parties and the basis for your allegation(s) as well as identify any evidence which you have which supports your allegation(s) of third party negligence.

ANSWER:

15. Do you claim that any third parties are at fault, wholly or partially, for this wreck? If so, state the name, address, and general description of the alleged negligent third parties and the basis for your allegation(s) as well as identify any evidence which you have which supports your allegation(s) of third party negligence.

ANSWER:

---

16. List the name, address, business address and telephone number of all persons with knowledge that might lead to discoverable information regarding the incident described in the complaint.

ANSWER:

17. Please state the names, addresses, telephone numbers, place of employment, job titles or capacities, and present whereabouts of all agents, servants, employees, representatives, private investigators or others who made any investigation of the events complained of in this case on your behalf.

ANSWER:

18. Please identify all evidence which you allege supports a defense that plaintiff or a third party was guilty of any comparative fault. If none exists, please so state.

ANSWER:

19. Identify by name, address, telephone number and place of employment, each and

every witness who was present at the scene of the wreck at or near the time of the collision.

ANSWER:

20. Identify the type of cell phone, carrier, number, and type of phone plan on the date of wreck.

ANSWER:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By 

Danny R. Ellis BPR No.: 20747

1024 E ML King Blvd

Chattanooga, TN 37403

Phone: (423) 697-4529

Fax: (423) 634-8886

Attorney for Plaintiff

VERIFICATION PAGE

\_\_\_\_\_  
Sharron Smith

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON   )

Sharron Smith, personally appeared before me this \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly sworn according to the law, made oath that the answers to the foregoing interrogatories are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

This 31<sup>st</sup> day of October, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

---

IN THE COURT OF HAMILTON COUNTY, TENNESSEE

Brandon L. Farrow,

Plaintiff,

vs

Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,

Defendants.

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

Docket No. 14C1291

Division:

JURY DEMANDED

---

PLAINTIFF'S REQUESTS FOR PRODUCTION TO  
DEFENDANT SHARRON SMITH

---

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Requests for Production to be answered within the time allowed by law.

These Requests for Production shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.

---

**REQUEST FOR PRODUCTION**

1. Any and all documents which you identified in the preceding interrogatories, and please indicate for each document to which interrogatory it relates.

RESPONSE:

2. Copies of any reports, records or other documents from any hospitals, doctors, or other healthcare providers concerning any examinations or treatment of the plaintiff prior to or after the date of the collision which is the subject of this lawsuit.

RESPONSE:

3. Copy of any damage appraisal and/or repair invoice made of any of the vehicles involved in the collision which is the subject of this lawsuit.

RESPONSE:

4. Copies of any and all statements previously made or adopted by plaintiff concerning the subject matter of this lawsuit.

RESPONSE:

5. Any and all photographs, drawings, maps or sketches, of the scene of the collision or of the vehicles involved in the collision which is the subject of this lawsuit.

RESPONSE:

6. A copy of any surveillance movies or photographs which have been made of plaintiff.

RESPONSE:

7. Please produce a complete copy of all insurance policies (including declarations pages, policy forms, insurance applications and all applicable endorsements) issued by each and every insurance company (including primary, secondary, excess or umbrella insurers) which may be called upon to pay any judgment or settlement in this case.

RESPONSE:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By 

Danny R. Ellis BPR No.: 20747

1024 E ML King Blvd

Chattanooga, TN 37403

Phone: (423) 697-4529

Fax: (423) 634-8886

Attorney for Plaintiff

VERIFICATION PAGE

Sharron Smith

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON    )

Sharron Smith personally appeared before me this \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly sworn according to the law, made oath that the answers to the foregoing interrogatories are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

This 31<sup>st</sup> day of October, 2014.

**MASSEY & ASSOCIATES, PC**

By: 

Danny R. Ellis

---

**IN THE COURT OF HAMILTON COUNTY, TENNESSEE**

**Brandon L. Farrow,**

**Plaintiff,**

**vs**

**Sharron Smith and Liberty Mutual Group,  
Inc d/b/a Liberty Mutual Insurance,**

**Defendants.**

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

**Docket No. 14C1291**

**Division:**

**JURY DEMANDED**

---

**PLAINTIFF'S FIRST SET OF EXPERT INTERROGATORIES  
TO DEFENDANT SHARRON SMITH**

---

TO: Sharron Smith  
Via the summons and complaint

Come now the plaintiffs by and through counsel, and pursuant to Rules 26, 33 and 34 of the Tennessee Rules of Civil Procedure, propounds the following Expert Interrogatories to be answered within the time allowed by law.

These Expert Interrogatories shall be deemed continuing so as to require supplemental answers if you or your attorneys obtain further information between the time the answers are served and the time of trial. Any such supplemental answers are to be filed and served upon counsel for the plaintiffs within fifteen (15) days from receipt of such additional information, but not later than the time of trial.

**EXPERT INTERROGATORIES**

1. Please identify each person whom you expect to call as an expert witness at the trial in this matter.

RESPONSE:

2. Please state the subject matter on which the expert is expected to testify.

RESPONSE:

3. Please state the substance of the facts and opinions to which the expert is expected to testify.

RESPONSE:

4. Please state a summary of the grounds for each opinion the expert is expected to testify.

RESPONSE:

5. For each expert please list all information provided to or accessed by each individual expert.

RESPONSE:

Respectfully submitted,

**MASSEY & ASSOCIATES, PC**

By 

Danny R. Ellis BPR No.: 20747  
1024 E ML King Blvd  
Chattanooga, TN 37403  
Phone: (423) 697-4529  
Fax: (423) 634-8886  
Attorney for Plaintiff



**VERIFICATION PAGE**

STATE OF TENNESSEE    )  
COUNTY OF HAMILTON )

\_\_\_\_\_  
**Sharron Smith**

Sharron Smith personally appeared before me this \_\_\_\_\_, day of \_\_\_\_\_, \_\_\_\_\_, the above party, to me personally known, who being first duly sworn according to the law, made oath that the answers to the foregoing interrogatories are true and correct to the best of his/her knowledge, information and belief.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

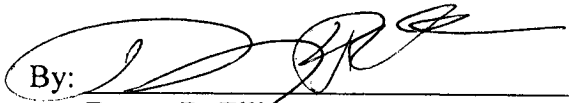
**CERTIFICATE OF SERVICE**

I hereby certify that this document was served on the following persons on the day written below:

Sharron Smith  
Via Summons & Complaint

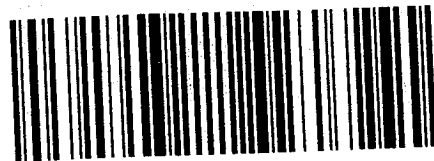
This 31<sup>st</sup> day of October, 2014.

**MASSEY & ASSOCIATES, PC**

By:   
Danny R. Ellis

Service of Process  
Dept. of Commerce & Insurance  
500 James Robertson Pkwy.-7th Floor  
Nashville TN 37243

**CERTIFIED MAIL™**



7012 3460 0002 8945 7468



7012 3460 0002 8945 7468 11/06/2014  
LIBERTY MUTUAL INSURANCE COMPANY  
2908 POSTON AVENUE, % C S C  
NASHVILLE, TN 37203